**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.10721 of 2007

Dated: 04-06-2007

Between:

Dhanyamraju Krishna.

**..... PETITIONER**

AND

The District Collector, Visakhapatnam District, and others.

**.....RESPONDENTS**

**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.10721 of 2007

ORDER:

The petitioner is allegedly owner of land admeasuring Ac.1.20 in survey No.70 situated at Satyavaram Village, Payakaraopet Mandal, Visakhapatnam District, which he got in a family partition. He is statedly bed ridden due to paralysis for the last five years and the family members are cultivating the land, which is the only source of their livelihood. Be that as it is, third respondent, namely, the Mandal Revenue Officer (MRO) allegedly visited the land on 06.05.2007, got it surveyed and earmarked the same. The petitioner alleges that as MRO is

contemplating to assign the subject land to third parties, immediately he approached first respondent by way of representation dated 07.05.2007 seeking to enquire into the matter. As there was no response, instant writ petition is filed.

The representation made by the petitioner dated 07.05.2007 to first respondent is pending. Therefore, it would not be proper for this Court to make any observation regarding the right or action taken by third respondent. Therefore, first respondent may look into the matter and pass appropriate orders keeping in view the principle that if the petitioner is owner of land and is in possession of the land, he cannot be deprived of possession without due process of Law. First respondent may pass necessary orders within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

04th June, 2007

Note: Issue CC in one week.

B/o

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